

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA**

No. **14-5277**

James Daniel Fulbright,

Appellant,

v.

John M. McHugh,  
Secretary,  
United States Army,  
Appellee.

**APPELLANT’S CONSENTED EIGHTH MOTION FOR LEAVE TO  
FILE A 14-DAY EXTENSION**

Appellant, James Fulbright, by and through counsel, hereby submits this Motion for Leave to file a 14-day extension. Counsel apologizes for this delay. Counsel for Appellee has been contacted and Consents to this motion.

Prior to the filings of Opening Briefs, the Appellee filed a Motion for Summary Affirmance. During this time, both parties requested extensions to file briefs in support of their positions on the Agency’s Motion for Summary Affirmance. On August 6, 2015, the Appellee’s Motion was denied.

Due to the complexity of the issues being addressed, as well as upcoming trials for counsel on both sides, more time is necessary for Appellant's counsel to complete his opening brief. The current due date is Wednesday, October 14, 2015. The new due date would be Wednesday, October 28, 2015. This is the second extension request for Appellant's opening brief. Granting relief for this Motion will prejudice no party. As a matter of justice, this motion should be granted.

WHEREFORE, Counsel for Appellant moves that this Honorable Court Grant his Motion.

Dated: October 13, 2015

Respectfully Submitted,

/s/ Michael D.J. Eisenberg  
Michael D.J. Eisenberg  
Attorney and Counselor at Law  
Law Office of Michael D.J. Eisenberg  
700 12th Street, NW, Suite 700  
Washington, DC 20005  
O: (202) 558-6371  
F: (202) 403-3414  
michael@eisenberg-lawoffice.com  
Counsel for Appellant  
James D. Fulbright

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that October 13, 2015, a copy of the foregoing has been served on all parties through the Court's Electronic Case Filing System ("ECF").

Five hard copies of the filing will also be mailed to the Clerk's Office as well.

Respectfully Submitted,

/s/ Michael D.J. Eisenberg

Michael D.J. Eisenberg

Attorney and Counselor at Law

Law Office of Michael D.J. Eisenberg

700 12th Street, NW, Suite 700

Washington, DC 20005

O: (202) 558-6371

F: (202) 403-3414

michael@eisenberg-lawoffice.com